

REGULAR MEETING – MANSFIELD TOWN COUNCIL
June 14, 2010

Deputy Mayor Gregory Haddad called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chambers of the Audrey P. Beck Building.

I. ROLL CALL

Present: Haddad, Keane, Kochenburger, Lindsey, Moran, Paulhus, Ryan, Schaefer

Excused: Paterson

II. APPROVAL OF MINUTES

Mr. Paulhus moved and Mr. Schaefer seconded to approve the minutes of the May 24, 2010 meeting with corrections. Motion passed with all in favor except Mr. Kochenburger and Ms. Lindsey who abstained. Mr. Schaefer moved and Mr. Paulhus seconded to approve the minutes of the May 24, 2010 Special meeting as presented. Motion passed with all in favor except Mr. Kochenburger and Ms. Lindsey who abstained.

PUBLIC HEARINGS

Mr. Schaefer moved and Ms. Keane seconded to recess the meeting of the Council and convene as the Water Pollution Control Authority. Motion passed unanimously. The Town Clerk read the notice of the meeting

1. WPCA, Four Corners Water/Sewer Project design

Gene Nesbitt, Chair of the Four Corners Water and Sewer Advisory Committee, spoke to the need for design funding to proceed with the project. Mr. Nesbitt stated that two thirds of the money will be utilized for design, identification of a water supply and engineering studies.

Quentin Kessel, Codfish Falls Road, expressed concern regarding the inclusion of water in the process. Mr. Kessel feels that the need for sewers has been established for many years, but urged the Council to move slowly with regards to water to insure proper controls and reviews have been established by the Planning and Zoning Commission.

Mike Sikoski, Wildwood Road, asked the Council not to separate the two issues of water and sewer.

David Freudmann, Eastwood Road, agreed with Mr. Sikoski and noted that he believes the Four Corners area has the greatest potential for economic development in Town.

Lon Hultgren, Director of Public Works, clarified that a public hearing is required only for sewer projects. Mr. Hultgren described the water options being

considered: a pipe line from Tolland, an additional well field in the Willimantic River, stratified drift resources in the area and water from Willimantic Water Works. All of these possibilities will be reviewed in the proposed study.

Gregory Padick, Director of Planning, commented that public water and sewer are consistent with the Town's Plan of Development and the PZC has been fully briefed on the Four Corners project.

Steve Rogers, Old Turnpike Road, spoke to the seriousness of the water problem in the area. (Statement attached)

Aline Booth, Wormwood Hill Road, urged support for the project noting this has been a serious issue for a long time.

Carol Pellegrine, Clover Mill Road, asked for clarification on the scope of the project.

Peter Plante, Oak Road, provided information on additional problems found in the soils of the Four Corners area and stated that in his role as a realtor he has had many inquiries regarding the properties from national commercial firms, none of which are interested in the area until sewer and water are available.

Pat Ferrigno, Greenfield Lane, agreed that as a realtor his experience has been similar to Mr. Plante. Mr. Ferrigno urged support for the project.

Meg Reich, Bassetts Bridge Road and a new member of the Advisory Committee, detailed her knowledge of the area beginning in the late 60's. Ms. Reich stated that given the ongoing water studies, the University can offer a commitment to the Town regarding the acceptance of sewage but is not in a position to do the same for water. She urged the Council to approve the sewer project.

The hearing was closed at 8:10 p.m.

Mr. Schaefer moved and Mr. Kochenburger seconded to recess as the Water Pollution Control Authority and reconvene as the Council.
Motion passed unanimously.

2. North Eagleville Road Sidewalk Project

The Town Clerk read the notice for the public hearing.

Lon Hultgren, Director of Public Works, commented this walkway project has been on the priority list for some time and is a joint project with the University of Connecticut. Scott Waitkus, project engineer, described the pedestrian walkway on North Eagleville Road which will run from Hunting Lodge Road to Northwood Apartments.

Mike Sikoski, Wildwood Road, asked if the construction work would be provided by the Town or go out to bid.

A letter from Vice President for Student Affairs John Saddlemire in support of the project was included in the record of the public hearing.

3. Dog Lane/Bundy Lane

The Town Clerk read the notice for the public hearing.

Greg Padick, Director of Planning, described the circumstances regarding UConn Foundation's offer of the property to the Town. Mr. Padick reported the Open Space Preservation Committee did recommend its acquisition and possible transfer to Joshua's Trust and the Planning and Zoning Commission did find the acquisition to be consistent with the Town's Plan of Conservation and Development.

Mike Sikoski, Wildwood Road, expressed his opposition to the acquisition.

David Freudmann, Eastwood Road, urged rejection of the property calling it a swamp of no benefit to the Town.

Quentin Kessel, Codfish Falls Road and Chair of the Conservation Commission, noted the property is one lot away from Whetten Woods which backs up to the Storrs Center Project and might provide opportunities for future trails.

Carol Pellegrine, Clover Mill Road, asked the Council to take a careful look at the gift and see if Joshua's Trust is interested in the property.

Jim Morrow, Chair of the Open Space Preservation Committee, stated that in his walks he has observed little sign of any dumping other than organic material.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Betty Wassmundt, Old Turnpike Road, took issue with remarks that the number of signatures on the petition to repeal the parking ordinance was small and that the signers were landlords. Ms. Wassmundt asked the Council to consider establishing an advisory financial oversight committee comprised of members of the community who would oversee the finances of the Town. She asked the Council to vote to recite the Pledge of Allegiance.

Ric Hossack, Middle Turnpike, asked the Council to consider making the budget referendum automatic. He stated the current town meeting is ridiculous and spoke against the use of incentive programs for employees. Mr. Hossack also called for a referendum on the Storrs Center Project and voiced his concern that comp time is being abused by department heads.

Mike Sikoski, Wildwood Road, questioned why in the Town Manager's report an address was given for one marijuana growing facility and not for another. Mr. Sikoski noted the Community Quality of Life Committee is considering two additional ordinances. He urged them to stop.

IV. REPORT OF TOWN MANAGER

Report attached

The Town Manager reported that often information regarding a police incident is based on the information received from the State Police, but added that he will attempt to be more consistent in the reporting.

The Town Manager is still working on information regarding clinical supervision of the Senior Center social worker.

Members discussed the role of the Town in the UConn task force on Spring Weekend.

V. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Ms. Moran and Mr. Kochenburger spoke to the prevalence of incentive programs in both the private and public sectors.

Deputy Mayor Haddad and Mr. Ryan, Chairs of the Personnel and Finance Committees respectively, reported that their Committees have thoroughly examined the role of comp time and are comfortable with the current rules.

VI. OLD BUSINESS

Ms. Moran moved and Mr. Paulhus seconded to recess as the Mansfield Town Council and reconvene as the Water Pollution Control Authority.
Motion passed unanimously.

4. WPCA Four Corners Water/Sewer Project Design

Mr. Schaefer moved and Mr. Paulhus seconded to approve the following resolution:

RESOLUTION RECOMMENDING THE DESIGN FOR THE PROPOSED FOUR CORNERS AREA SEWER SYSTEM

RESOLVED, That the Town Council of the Town of Mansfield, Connecticut, acting in its capacity as the Town's Water Pollution Control Authority, recommends the Town undertake the design of the proposed Four Corners area sewer system.

Motion passed with all present voting in favor.

5. Four Corners Water/Sewer Project Design

Mr. Schaefer moved and Mr. Paulhus seconded to recess as the Water Pollution Control Authority and reconvene as the Mansfield Town Council.

Motion passed unanimously.

Mr. Kochenburger moved and Ms. Keane seconded to approve the following resolution:

**RESOLUTIONS OF THE TOWN COUNCIL OF THE TOWN OF MANSFIELD
JUNE 14, 2010**

**RESOLUTION APPROPRIATING \$330,000 FOR COSTS WITH RESPECT TO
DESIGN OF PORTIONS OF THE PROPOSED FOUR CORNERS AREA
WATER AND SEWER SYSTEMS, AND AUTHORIZING THE ISSUE OF BONDS
AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.**

RESOLVED,

(a) That the Town of Mansfield appropriate THREE HUNDRED THIRTY THOUSAND DOLLARS (\$330,000) for costs with respect to design of portions of the proposed Four Corners area water and sewer systems, contemplated to include study, testing and permitting for water supply (estimated cost \$200,000), design of a sewage pump station (estimated cost \$100,000), and related work and financing costs (estimated cost \$30,000). The appropriation may be spent for design costs, engineering and other consultant fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project. The Town Manager is authorized to determine the scope and particulars of the project and may reduce or modify the scope of the project; and the entire appropriation may be spent on the project as so reduced or modified.

(b) That the Town issue its bonds, notes or obligations, in an amount not to exceed THREE HUNDRED THIRTY THOUSAND DOLLARS (\$330,000) to finance the appropriation for the project. The amount of bonds, notes or obligations authorized shall be reduced by the amount of grants received by the Town for the project and applied to pay project costs. The bonds or notes shall be issued pursuant to Section 7-259, Section 7-234 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts, as applicable. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(c) That the Town issue and renew its temporary notes or interim funding obligations from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes, or obligations for the project and the receipt of project grants. The amount of the notes outstanding at any time shall not exceed THREE HUNDRED THIRTY THOUSAND DOLLARS (\$330,000). The notes shall be issued pursuant to Sections 7-264 and 7-378, or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a and 7-378b of the General Statutes with respect to any temporary notes if the

notes do not mature within the time permitted by said Sections 7-264 or 7-378, and the Town shall comply with the provisions of Section 22a-479(c) with respect to any interim funding obligations.

(d) The Town Manager, the Director of Finance and the Treasurer, or any two of them, shall sign any bonds, notes, obligations, temporary notes or interim funding obligations by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes, obligations, temporary notes or interim funding obligations. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds, notes, obligations, temporary notes or interim funding obligations; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes, obligations, temporary notes or interim funding obligations to provide for the keeping of a record of the bonds, notes, obligations, temporary notes or interim funding obligations; to designate a financial advisor to the Town in connection with the sale of the bonds, notes, obligations, temporary notes or interim funding obligations; to sell the bonds, notes, obligations, temporary notes or interim funding obligations at public or private sale; to deliver the bonds, notes, obligations, temporary notes or interim funding obligations; and to perform all other acts which are necessary or appropriate to issue the bonds, notes, obligations, temporary notes or interim funding obligations.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes, obligations, temporary notes or interim funding obligations authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes, obligations, temporary notes or interim funding obligations authorized by this resolution to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds, notes, obligations, temporary notes or interim funding obligations.

(g) That the Town Manager, or any other proper officer or official of the Town, is authorized to apply for and accept federal and state grants to help finance the appropriation for the project and to apply for and accept state loans to finance the project, and to enter into any grant or loan agreement prescribed by the State of Connecticut or any other grantor or lender. The Town Manager, and any other proper officer or official of the Town, are authorized to take any other actions necessary to obtain any such grants or loans, including without limitation grants or loans pursuant to Section 22a-479 of the Connecticut General Statutes, Revision of 1958, as amended, or to any other present or future legislation, or to implement any such grant or loan agreements. Any grant proceeds may be used to pay project costs or principal and interest on bonds, notes, temporary notes or obligations.

(h) That the Town Manager, the Director of Finance, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes, obligations, temporary notes or interim funding obligations and to obtain grants to finance the project.

Motion to approve passed unanimously.

Ms. Moran moved and Ms. Keane seconded to approve the following resolution:

RESOLUTION CALLING TOWN MEETING WITH RESPECT TO DESIGN OF PORTIONS OF THE PROPOSED FOUR CORNERS AREA WATER AND SEWER SYSTEMS.

RESOLVED, That pursuant to Sections 406 and 407 of the Town Charter, the resolution adopted by the Council under Item 5 of this meeting, appropriating \$330,000 for costs with respect to design of portions of the proposed Four Corners area water and sewer systems and authorizing the issue of bonds and notes and temporary notes to finance the appropriation, shall be submitted to a Special Town Meeting to be held Monday, June 28, 2010, which Town Meeting the Town Council hereby authorizes the Mayor to call.

Motion passed unanimously.

6. An Ordinance Regarding Off Street Parking On Residential Rental Property

Mr. Paulhus moved and Ms. Keane seconded, to schedule a town meeting of the electors and citizens qualified to vote in town meetings of the Town of Mansfield, Connecticut, to be held in the Auditorium of the Mansfield Middle School, 205 Spring Hill Road, on July 12, 2010 at 6:00 p.m. for the following purpose:

To determine, per Town of Mansfield Charter § C309, whether to sustain the action of the Town Council to enact said ordinance, nullify the Council's action or vote to submit the ordinance to a referendum to be held within sixty days.

Motion passed unanimously.

7. School Building Project

Mr. Schaefer moved and Mr. Paulhus seconded, effective June 14, 2010, to schedule a public hearing for 7:30 p.m. at the Town Council's regular meeting on June 28, 2010, to solicit public comment regarding the proposed School Building Project.

Motion passed unanimously.

8. North Eagleville Road Sidewalk Project

Mr. Paulhus moved and Ms. Keane seconded to refer the proposed North Eagleville Road Sidewalk Project to the Planning and Zoning Commission for review pursuant to Section 8-24 of the Connecticut General Statutes.

Motion passed unanimously.

9. Community/Campus Relations: Committee on Community Quality of Life

Ms. Moran, a member of the Committee, moved, effective June 14, 2010, to revise the composition of the Committee on Community Quality of Life to include the following members:

- 1) Three members of the Town Council
- 2) One representative from the University of Connecticut
- 3) Three citizen members
- 4) Two alternate members

The term "citizen" was added to the description of the alternate members by consensus.

Motion passed unanimously.

10. Community Water and Wastewater Issues

No Report

VII. NEW BUSINESS

11. Revisions to the Ordinance Establishing a Fee Schedule for Fire Prevention Services

Deputy Chief/Fire Marshal John Jackman briefly described the proposed revisions to the ordinance as now authorized by the Connecticut Fire Safety Code. Implementation of these changes will help recover the cost of fire prevention efforts.

Mr. Schaefer moved and Mr. Paulhus seconded to schedule a public hearing for 8:00 p.m. at the Council's regular meeting on June 28, 2010 regarding a proposed revision of the Ordinance Establishing a Fee Schedule for Fire Prevention Services.

Ms. Moran moved and Mr. Kochenburger seconded to amend the motion to change the date and time of the public hearing to July 12, 2010 at 7:30 p.m.

The amendment passed unanimously, as did the amended motion.

VIII. QUARTERLY REPORTS

The Quarterly Reports were distributed and will be discussed at the next meeting.

Town Manager Matt Hart suggested the Council might like to review the reports as to format and substance and suggested adding the item to a future agenda.

By consensus Council members agreed.

IX. DEPARTMENTAL AND COMMITTEE REPORTS

Ms. Lindsey requested information on UConn's guest policy which the Town Manager will try to procure. Council members questioned if statistics are kept on the number of guest signed into the dorms on Spring Weekend. Fire Chief Dave Dagon commented that in 2009 they began asking Spring Weekend triage patients if they were students or guests and that a small percentage identified themselves as guests.

X. REPORTS OF COUNCIL COMMITTEES

Finance Chair Bill Ryan reported the Committee reviewed an ordinance which would provide the procedures for administrative and fiduciary oversight of the Town's finances, will recommend a bill dealing with certain emergency services and supported a change in the handling of foreclosures.

Personnel Committee Chair Gregory Haddad reported the Ethics ordinance has been sent to the Town Attorney for review and discussions regarding possible changes to the Rules of Procedures are also in the process of being further reviewed. The Policy on Open and Transparent Government, which was rewritten, streamlined and passed by the Board

of Education, is being compared to the original and will be further discussed by the Committee.

XI. PETITIONS, REQUEST AND COMMUNICATIONS

- 12. T. Luciano re: Spring Weekend Petition- Ms. Moran acknowledged the receipt of the petition noting that Spring Weekend will be discussed at a future meeting.
- 13. PZC re: 8-24 Referral; Dog Lane/Bundy Lane Parcel
- 14. J. Saddlemire re: pedestrian walkway
- 15. M. Hart re: Appointment to Mansfield Downtown Partnership Board of Directors
- 16. M. Stanton re: Certification of petition on the budget
- 17. Press Release: Connecticut Greenways Council Award
- 18. Press Release: Governor Rell Commends Open Space Advocates
- 19. Chronicle "No major opposition to animal test project" – 5/19/10
- 20. Chronicle "Letter to the Editor" – 5/20/10
- 21. Chronicle "Two-school option picked for Mansfield" – 5/20/10
- 22. Chronicle "Council gets breakdown on school project" – 5/25/10
- 23. Chronicle "No-show clears way for Haddad" – 5/26/10
- 24. Chronicle "Editorial: We offer these threads, needles" – 6/1/10 263
- 25. Chronicle "Remembering them all" – 6/1/10
- 26. Chronicle "Letter to the Editor" – 6/2/10
- 27. Chronicle "Town weighs five bids to evaluate police needs" – 6/2/10
- 28. Chronicle "Mansfield Historical Society Museum opens this weekend" – 6/3/10
- 29. Chronicle "Trails Day offers walk, and paddle trip events" – 6/3/10
- 30. Chronicle "Residents' petition fights new parking regulations" – 6/4/10
- 31. Chronicle "Budget goes to the polls" – 6/7/10

XII. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

No comments

XIII. FUTURE AGENDAS

Council members agreed to add discussion of the University's efforts on Spring Weekend and the role of the Town as a future agenda item.

Mr. Ryan moved to recess the meeting of the Town Council and move into executive session to discuss Personnel in accordance with Connecticut General Statutes §1-200(6)(a). Seconded by Mr. Paulhus the motion passed.

XIV. EXECUTIVE SESSION

Personnel in accordance with Connecticut General Statutes §1-200(6) (a).

Present: Haddad, Keane, Kochenburger, Lindsey, Moran, Paulhus, Ryan, Schaefer

Also included: Town Manager Matt Hart, Assistant to the Town Manager Maria Capriola, Director of Finance Cherie Trahan

XV. ADJOURNMENT

The Town Council reconvened in regular session. Mr. Kochenburger moved and Mr. Schaefer seconded to adjourn the meeting.

Motion passed unanimously.

Gregory Haddad, Deputy Mayor

Mary Stanton, Town Clerk